

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CALVIN REED,

Plaintiff,

-against-

P.O. ANDRE LOGAN, et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/06/2023

22-CV-10446 (JPC) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

The Court has received and reviewed: (1) plaintiff's Second Amended Complaint (SAC), dated August 30, 2023 (Dkt. 36 at ECF pp. 3-12), which is appended to a declaration "in opposition to defendants' 12(b)(6) motion to dismiss," dated August 26, 2023 (Dkt. 36 at ECF pp. 1-2), and (2) plaintiff's letter dated, August 7, 2023 (Dkt. 37), discussing one of the incidents at issue in the SAC. Both documents were received by the Pro Se Office on October 3, 2023, and posted to the docket as of that same day.

The Court accepts the SAC contained within Dkt. 36 as the operative pleading in this action. (*See* Dkt. 32 ¶ 1.) The Court construes plaintiff's declaration, also contained within Dkt. 36, as part of his pleading. Any Rule 12 motion by defendants must be filed no later than **October 25, 2023**. (*See* Dkt. 32 ¶ 2.) Plaintiff's opposition to defendants' Rule 12 must be filed no later than **November 27, 2023**. Defendant's reply, if any, must be filed no later than **December 4, 2023**.

The Court construes plaintiff's August 7 letter at Dkt. 37 as argument in opposition to a potential motion to dismiss plaintiff's prior complaint. (*See* Dkt. 30.) As set forth above, plaintiff will have an opportunity to oppose the motion to dismiss the SAC once defendants have filed that motion.

Plaintiff is reminded that it is his responsibility to update his address with the Court (in all of his pending actions) so that he can timely receive the Court's Orders, as well as documents filed

by defendants, and so that he can comply with his case-related obligations. **Should plaintiff move (or be moved) again, he must promptly send a letter to the Court providing his new mailing address.**

The Clerk of Court is respectfully directed to mail copies of this Order, as well as the Orders at Dkts. 32 and 35, to plaintiff at his new address, and to update his address on the docket as follows:

Calvin Reed  
B&C: 8252301223  
Eric M. Taylor Center  
10-10 Hazen Street  
East Elmhurst, NY 11370

Dated: New York, New York  
October 6, 2023

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**